

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA, PLAINTIFF, V. REAL PROPERTY KNOWN AND NUMBERED AS 2467 LEGENDS WAY, CRESTVIEW HILLS, KENTON COUNTY, KENTUCKY , WITH ALL APPURTENCES, IMPROVEMENTS, AND ATTACHMENTS THEREON, et al., DEFENDANTS.	: CASE NO. C-1-02-367 : (consolidated with C-1-02-359, C-1-02-388, C-1-02-431, and C-1-02-474) : SENIOR JUDGE SPIEGEL : : :
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**UNITED STATES' MOTION TO DISMISS REAL PROPERTY KNOWN AND
NUMBERED AS 1032 CEDAR BROOK DRIVE, VILLA HILLS, KENTON COUNTY,
KENTUCKY**

The United States, by and through the undersigned United States Attorney for the Southern District of Ohio, moves this Court pursuant to Fed.R.Civ.P. 41(a)(2) for an order dismissing from this consolidated civil forfeiture action the real property known and numbered as 1032 Cedar Brook Drive, Villa Hills, Kenton County, Kentucky ("the subject property").

On June 23, 2004, Marc Menne and Alice Menne executed a Consent Judgment of Forfeiture in the consolidated civil forfeiture case (Doc. 152), agreeing to execute a note and second mortgage lien against 1032 Cedar Brook Drive, Villa Hills, Kentucky to secure to the United States its one-half interest in said property. On September 20, 2006 a Notice of Lien and Release of Lis Pendens was recorded in Kenton County, Kentucky regarding the subject property.

No persons other than Marc Menne and Alice Menne have made a claim to the subject

property in this consolidated civil forfeiture action.

Therefore, the United States respectfully requests that the Court issue an order dismissing the subject property from this consolidated civil forfeiture action.

Respectfully submitted,

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s/Donetta D. Wiethe
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CERTIFICATE OF SERVICE

I hereby certify a copy of the foregoing Motion to Dismiss was filed with the Court's CM/ECF filing system on September 27th 2006, which provides electronic notice to all parties.

s/Donetta D. Wiethe
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Assistant United States Attorney